

REMARKS

Claim Rejections

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Kelso (U.S. 1,181,079). Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Drawings

It is noted that the Examiner has accepted the drawings as originally filed with this application.

Claim Amendments

By this Amendment, Applicant has amended claims 1 and 2 of this application. It is believed that the amended claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art.

The Examiner has indicted that claim 2 would be allowed if rewritten in independent form. Applicant's amended claim 2 comprises a combination of original claims 1 and 2, thus redrafting claim 2 in independent form.

Applicant respectfully submits that the present invention is distinguishable from Kelso for the reasons explained below.

Firstly, in the present invention, the shaft (21) of the vehicle (20) is disposed at an eccentric center of the wheel 24. In contrast, the cited prior art has a shaft (11) of a vehicle located at the center of the wheel (15).

The main difference of the present invention and Kelso is that, in the present invention the shaft (21) is an eccentrically located together with the shaft of the wheel (24) to become a main shaft having a dual-shafted design with the shaft (21). However, Kelso has a concentric shaft (11) with respect to the center of the wheel (15).

Secondly, in the present invention, the shaft (21) (i.e, the small driving gear (22)) is located at the eccentric center of the driven gear (23) to make the outer gear

teeth (221) mesh with the internal gear teeth (231). The power shaft (21) is eccentrically operated at the eccentric center of the wheel.

Kelso has a shaft (11) (i.e., the gear (13)) located at the center of the wheel (15).

In Kelso, at two sides of the gear (13) of the shaft (11), are placed the gears (18, 19 and 14), wherein the meshed gears (18, 19) are located at the same side of the gear (13) and meshed with gear (13) and wheel (15). The gear (14) located at other side of the gear (13) is meshed with the wheel (15). The power shaft (11) is in concentric relationship with the wheel, indirectly driven in an eccentric manner. Therefore, it can be seen that Kelso is structured and operationally differently from the present invention.

Thirdly, the shaft is fixed to the embodiment of a vehicle and is further couple to a power source to become a main driving wheel.

The present invention uses shaft (21) (i.e., the eccentric driving gear (22)) together with the driven gear (23) to be designed in a dual centered manner. The shaft (21) is not fixed and free to spin so that in transmission, the torque and the gravity can be separated, resulting in the load supporting shaft (21) (i.e., the driving gear) to be lifted upwardly and downwardly to convert the gravity into power. Kelso makes use of the shaft (11) (i.e., the gear (13)) located at the center of the wheel (15) to make a concentric association. In transmission, in Kelso, sequentially the gears (18, 19) are driven, the rear wheel (15) is driven accordingly to make the gear (14) rotated. Since the gear (14) is fixed to an extended portion (8) of a hollow shaft (7), it cannot move upwardly, nor can it convert gravity into power. Further, the concentric design permits rotational torque, and since the gear is fixed to the extended portion (8) the rotational torque is absorbed by the embodiment of the vehicle. Therefore, the present invention makes use of the eccentric driving gear (22) and the driven gear (23) to get a dual-centered transmission, permitting the driving gear (22) to move upwardly in rotation so as to convert gravity into power, and at the same time to prevent the torque from being absorbed by the embodiment of the vehicle. In contrast, in Kelso, the gear (14) is fixed to the extended portion of the hollow shaft (7) only rotating to drive the wheel. The gear (14) remains in a static position, not moving upwardly during operation to convert gravity into power.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Kelso does not disclose each and every feature of Applicant's amended claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Kelso cannot be said to anticipate any of Applicant's amended claims under 35 U.S.C. § 102.

It is further submitted that Kelso does not disclose, or suggest any modification of the specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Thus, it is not believed that Kelso renders obvious any of Applicant's amended claims under 35 U.S.C. § 103.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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